

1
2 BILL NO. S-75-09- 25

3 SPECIAL ORDINANCE NO. S- 203-75

4 AN ORDINANCE approving Water Contract 75-1 with
5 NOBIS-WESTROPP CONSTRUCTION COMPANY

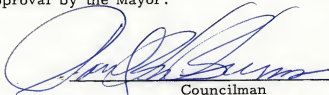
6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
7 WAYNE, INDIANA:

8 SECTION 1. That the contract dated September 10, 1975, between
9 the City of Fort Wayne, by and through its Mayor and the Board of Public Works
10 and NOBIS-WESTROPP CONSTRUCTION CO., for:

11 Construction of 12 inch water main on Washington Center Road
12 from Sta. 80+00 to Sta. 87+50, as referenced to City of Fort
13 Wayne Street Engineering plans for Washington Center Road
14 Improvement project

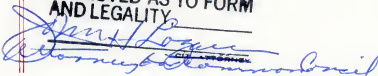
15 for a cost of \$11,430.00, all as more particularly set forth in said Contract which
16 is on file in the Office of the Board of Public Works, and is by reference incor-
17 porated herein, made a part hereof and is hereby in all things ratified, confirmed
18 and approved.

19 SECTION 2. This Ordinance shall be in full force and effect from
20 and after its passage and approval by the Mayor.

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22 
23 _____

Councilman

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APPROVED AS TO FORM
AND LEGALITY


Attorney General

Read the first time in full and on motion by Burns, seconded by Hings, and duly adopted, read the second time by title and referred to the Committee on City Utilities (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 9-23-75

Charles W. Westerman
CITY CLERK
William B. Chief, Dep.

Read the third time in full and on motion by Burns, seconded by Hings, and duly adopted, placed on its passage. Passed (~~lost~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
TOTAL VOTES	<u>9</u>	<u>0</u>			
BURNS	<u>X</u>				
HINGA	<u>X</u>				
KRAUS	<u>X</u>				
MOSES	<u>X</u>				
NUCKOLS	<u>X</u>				
SCHMIDT, D.	<u>X</u>				
SCHMIDT, V.	<u>X</u>				
STIER	<u>X</u>				
TALARICO	<u>X</u>				

DATE:

10-14-75

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution), No. S-203-B on the 14th day of October, 1975.

ATTEST (SEAL)
Charles W. Westerman
CITY CLERK

James Stier
PRESIDING OFFICER

Presented by me, the Mayor of the City of Fort Wayne, Indiana, on the 15th day of October, 1975, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 16th day of October, 1975, at the hour of 10:00 o'clock A. M., E.S.T.

John H. Kasper
MAYOR

Bill No. S-75-09-25

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance
approving Water Contract 75-1 with NOBIS-WESTROPP CONSTRUCTION COMPANY

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance as PASS.

Paul M. Burns - Chairman

Donald J. Schmidt - Vice-Chairman

Winfield C. Moses, Jr.

William T. Hinga

Eugene Kraus, Jr.

[Handwritten signatures and initials]
[Red circular stamp]
[Signature: William T. Hinga]
[Signature: Eugene Kraus Jr.]

DATE 10-14-75 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

2-252-20
9/10/75

AGREEMENT

FOR THE LOWERING OF 12" WATER MAIN ON WASHINGTON CENTER ROAD

BOARD ORDER NO. 80-75

CONTRACT NO. 75-1

WORK ORDER NO. 63284

THIS AGREEMENT, made this 10 day of September 1975, by and between NOBIS-WESTROPP CONSTRUCTION CO., INC. herein called the Contractor, and the CITY OF FORT WAYNE, an Indiana Municipal Corporation, herein called Owner,

WITNESSETH, that the Contractor and the Owner for the considerations hereinafter named, agree as follows:

ARTICLE 1. SCOPE OF WORK

Contractor shall furnish all labor, equipment, tools, power, transportation, miscellaneous equipment, etc. including excavation, laying and connecting of pipe and fittings, hauling of spoil and backfilling trench with compacted bank run gravel to lower 12 inch water main on Washington Center Road from Sta. 80+00 to Sta. 87+50, as referenced to City of Fort Wayne Street Engineering plans for Washington Center Road Improvement project.

ARTICLE 2. THE CONTRACT SUM

The Owner shall pay the Contractor for the performance of the contract the sum of \$11,430. In the event the amount of work is increased or decreased by the Owner, the contract sum shall be increased or decreased according to the unit price schedule set forth in the Contractor's Proposal.

ARTICLE 3. PROGRESS PAYMENTS

The Owner shall make payments on account of the contract as provided therein, as follows:

On or about the 15th day of each month, ninety percent (90%) of the value of the work performed up to the first day of that month (based on the contract prices of labor and materials incorporated in the work) and as estimated by the Contractor and approved or revised by the Engineering Department of the Owner, less the aggregate of previous payments.

ARTICLE 4. ACCEPTANCE AND FINAL PAYMENT

Final payment shall be due at the time the work is fully completed and the contract is fully performed.

Upon receipt of written notice that the work is ready for final inspection and acceptance, the Engineering Department of the Owner shall promptly make such inspection, and when it finds the work acceptable under the contract and the contract fully performed, it shall promptly issue a final certificate stating that the work provided for in this contract has been completed and is accepted, and the entire balance of the contract sum shall be due and payable to the Contractor.

At the time said payment is due and payable, the Contractor shall furnish the Owner, if requested to do so, satisfactory evidence that all persons who have supplied labor, material, or equipment for the work have been fully paid.

ARTICLE 5. GUARANTEE OF WORKMANSHIP

Contractor will furnish a one-year guaranty bond at the time the completion affidavit is filed.

ARTICLE 6. THE CONTRACT DOCUMENTS

The Instructions to Bidders, Specifications, Contractor's Proposal, and this Agreement form the Contract, and they are as fully a part of the Contract as if hereto attached or herein repeated. The following is an enumeration of these documents.

- A. Instructions to Bidders for Contract No. 75-1.
- B. Contractor's Proposal dated August 20, 1975.
- C. Supplemental Specifications for Washington Center Road Water Main Lowering and Detailed Specifications and Conditions for the Installation of Transmission and Distribution Mains, Contract No. 75-1 and Fort Wayne Water Utility, Engineering Department Drawing No. Y-10496, Sheets 1 through 3.
- D. All materials shall be in accordance with Fort Wayne Water Utility Engineering Department Water Main Materials Standards, dated November 28, 1973, except as modified in the Supplemental Specifications.

ARTICLE 7. ADJUSTMENT OF DISPUTES

All questions or controversies which may arise between the Contractor and the Owner under the provisions of this Contract shall be subject to the decision of the Chief Engineer of the Fort Wayne Water Utility of the Owner, and his decision shall be final and conclusive upon the parties.

Provided, however, no changes in the plans, specifications, or other phases of the work covered by this Contract will be permitted except on prior written authorization by the Board of Public Works

ARTICLE 8. INDEMNITY

Contractor shall indemnify the Owner against any claim or loss incurred or arising out of the performance of the work as provided herein.

ARTICLE 9. COUNCILMANIC APPROVAL

This Agreement, although executed on behalf of the Owner by its Mayor and Board of Public Works, shall not be binding upon the Owner unless and until the same shall have been ratified and approved by the Common Council of the City of Fort Wayne, Indiana, and should said Common Council fail to approve the same within sixty (60) days after the date hereof, then this contract shall be and become wholly void.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

NOBIS-WESTROPP CONSTRUCTION CO., INC.

BY: 

David J. Westropp, Secretary

CITY OF FORT WAYNE, INDIANA

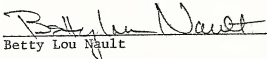
BY: 

Ivan A. Lebamoff, its Mayor

BOARD OF PUBLIC WORKS

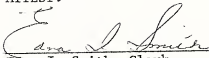

Jerry D. Boswell, Chairman


Carl E. O'Neal

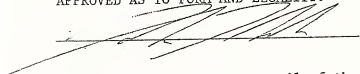

Betty Lou Nault

SEP 10 1975

ATTEST:


Edna I. Smith, Clerk

APPROVED AS TO FORM AND LEGALITY:


APPROVED By the Common Council of the City of Fort Wayne on _____, 1975,

Special Ordinance No. _____.

PROJECT 12" WATER MAIN LOWERING ON WASHINGTON CENTER ROAD

CONTRACT 75-1

DATE AUG.20,1975

CONTRACTOR - - - - -
~~STATE OF OHIO~~ AFFIRMATIVE ACTION CERTIFICATE - - - - -
 NON-COLLUSION AFFIDAVIT - - - - -
 BID BOND - - - - -
 FINANCIAL STATEMENT - - - - -

NOBIS-WESTROPP CONST. INC.

T&G EXCAVATING, INC.

BERCOT, INC.

YES

YES

YES

YES

YES

YES

YES (10%)

YES (10%)

YES (10%)

YES

YES

YES

	DESCRIPTION	UNITS	U.P.	EXTENSION	U.P.	EXTENSION	U.P.	EXTENSION	U.P.	EXTENSION
1	12" CL.22 CAST IRON WATER									
	MAIN LOWERING	750 LF	21.50	\$16,125.00	15.24	\$11,430.00	24.61	\$18,457.50	46.10	\$34,575.00
MU-SE TOTAL ESTIMATE			\$16,125.00		TOTAL \$11,430.00		TOTAL \$18,457.50		TOTAL \$34,575.00	

DIGEST SHEET



L-75-09-25

TITLE OF ORDINANCE Special Ordinance

DEPARTMENT REQUESTING ORDINANCE Board of Public Works

SYNOPSIS OF ORDINANCE Bids were received and contract in amount of \$11,430.00
awarded to Nobis-Westropp Construction Company for the lowering of a 12-inch
water main on Washington Center Road. The lowering is necessitated because of
the Washington Center Road improvement project to be made through the State
Highway Commission.

EFFECT OF PASSAGE Protection of City water facility.

EFFECT OF NON-PASSAGE Failure to cooperate with State to allow for improvement.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) Cost to Utility of \$11,430.00

ASSIGNED TO COMMITTEE

City Utilities P.H.